

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

BILLY WESTBROOK,
Institutional ID No. 146994

Plaintiff,

v.

SHERIFF KELLY ROWE, *et al.*,

Defendants.

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CIVIL ACTION NO. 5:22-CV-00309-C

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. No objections were filed. The District Court made an independent examination of the record and reviewed the Magistrate Judge's report for plain error. Finding none, the Court accepts and adopts the findings, conclusions, and recommendation of the United States Magistrate.

The Court therefore orders that Plaintiff's complaint and all claims alleged within it are dismissed with prejudice under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A for failure to state a claim. All relief not expressly granted and any pending motions are denied.

This dismissal will count as a qualifying dismissal or "strike" under 28 U.S.C. § 1915 and *Adepegba v. Hammons*, 103 F.3d 383 (5th Cir. 1996).

Judgment will be entered accordingly.

So ordered.

Dated January 8, 2024.



SAM R. CUMMINGS
Senior United States District Judge